Toffoloni v. LFP Publishing Group, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA

2211 UNITED STATES COURTHOUSE
75 SPRING STREET, SW
ATLANTA, GEORGIA 30303-3361

JAMES N. HATTEN
CLERK OF COURT

DOCKETING SECTION
404-215-1655

November 26, 2008

United States Court of Appeals
11th Circuit
56 Forsyth Street, NW
Atlanta, Georgia 30303

USDC Civil Action No. 1:08-cv-0421-TWT

USCA No. 08-16148-GG

Re: *Maureen Toffoloni v. LFP Publishing Group, LLC*

CERTIFICATE OF READINESS OF RECORD ON APPEAL

Pursuant to Fed.R.App.P. 11(c), the Clerk of the District Court for the Northern District of Georgia hereby certifies that, as shown on the enclosed index, the record is complete for the purposes of this appeal. The record (including the transcript or parts thereof designated for inclusion and all necessary exhibits) consists of:

1	**Volume(s) of pleadings**
	Volume(s) of depositions
1	**Volume(s) of transcripts**
	Volume(s) of exhibits
X	**Other: 1 Envelope of Sealed Exhibits w/ pldg no. 5**

Sincerely,

James N. Hatten
Clerk of Court

By: /s/ Kimberly Carter
Deputy Clerk

Enclosures

Dockets.Justia.com

4months, APPEAL, CLOSED, EXH, TRO

ATTEST: A TRUE COPY
CERTIFIED THIS
NOV 26 2008
James N. Hatten, Clerk
By: Deputy Clerk

U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:08-cv-00421-TWT
Internal Use Only

Toffoloni v. LFP Publishing Group, LLC
Assigned to: Judge Thomas W. Thrash, Jr
Case in other court: USCA - 11th Circuit., 08-16148-GG
Superior Court of Fayette County, 2008V-0185
Cause: 28:1441 Petition for Removal- Personal Injury

Date Filed: 02/06/2008
Date Terminated: 10/06/2008
Jury Demand: None
Nature of Suit: 360 P.I.: Other
Jurisdiction: Diversity

Plaintiff

Maureen Toffoloni
as Administrator and Personal Representative of the Estate of Nance E. Benoit

represented by **Richard Paul Decker**
Decker Hallman Barber & Briggs
260 Peachtree Street, NW
Suite 1700
Atlanta , GA 30303
404-522-1500
Fax: 404-577-9149
Email: rdecker@dhbblaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

LFP Publishing Group, LLC
doing business as
Hustler Magazine

represented by **Barry J. Armstrong**
McKenna Long & Aldridge-GA
303 Peachtree Street, N.E.
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716-849-1333
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mark Samansky
an individual

Defendant

Defendants X, Y, and Z
other distributors and sellers of Hustler Magazine

Date Filed	#	Docket Text
02/06/2008 Bg. Vol. 1	1	NOTICE OF REMOVAL with COMPLAINT filed by LFP Publishing Group, LLC. (Filing fee $350 receipt number 574099) (Attachments: # 1 Exhibit A, # 2 Civil Cover Sheet)(dr) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Additional attachment(s) added on 2/7/2008: # 3 Memorandum continued) (dr). (Entered: 02/07/2008)
02/07/2008	2	NOTICE of Hearing on Motion. TRO Motion Hearing set for 2/8/2008 09:30 AM in Courtroom 2108 before Judge Thomas W. Thrash Jr.. (ss) (Entered: 02/07/2008)

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02/07/2008	3	RESPONSE *in Opposition to Plaintiff's Motion for TRO* filed by LFP Publishing Group, LLC. (Attachments: # 1 Affidavit Exhibit A to Defendant's Opposition to Plaintiff's Motion for TRO)(Bauer, S.) (Entered: 02/07/2008)
02/08/2008	4	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Evidentiary Hearing held on 2/8/2008, Attorney S. Derek Bauer for LFP Publishing Group, LLC added. The Court heard from counsel on Motion for TRO, and denied the motion; the Court ordered the Clerk to place Plaintiff's Exhibit 1 UNDER SEAL. (Court Reporter Susan Baker.)(dr) (Entered: 02/08/2008)
02/08/2008 Sealed Exhibits	5	FILED UNDER SEAL - EXHIBITS received from Courtroom Deputy and placed in Sealed Documents room. (dr) (Entered: 02/08/2008)
02/20/2008	6	WAIVER OF SERVICE Returned Executed by Maureen Toffoloni. LFP Publishing Group, LLC waiver mailed on 2/11/2008, answer due 4/11/2008. (Decker, Richard) (Entered: 02/20/2008)
02/25/2008 Vol. 2	7	TRANSCRIPT of Proceedings held on 2/8/08 before Judge Thomas W. Thrash, Jr.. Court Reporter: Susan Baker. (dr) (Entered: 02/26/2008)
03/07/2008	8	APPLICATION for Admission of William M. Feigenbaum Pro Hac Vice (Application fee $ 150, receipt number 113E0000000001558106)by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 03/07/2008)
03/10/2008		APPROVAL by Clerks Office re: 8 APPLICATION for Admission of William M. Feigenbaum Pro Hac Vice (Application fee $ 150, receipt number 113E0000000001558106). Attorney William M. Feigenbaum for LFP Publishing Group, LLC added. (pb) (Entered: 03/10/2008)
03/10/2008	9	ORDER granting 8 Application for Admission Pro Hac Vice for William Feigenbaum. Signed by Judge Thomas W. Thrash, Jr on 3/10/08. (dr) (Entered: 03/11/2008)
04/08/2008	10	MOTION to Dismiss with Brief In Support by LFP Publishing Group, LLC. (Attachments: # 1 Brief in Support of Motion to Dismiss)(Armstrong, Barry) (Entered: 04/08/2008)
04/15/2008	11	RESPONSE in Opposition re 10 MOTION to Dismiss filed by Maureen Toffoloni. (Decker, Richard) (Entered: 04/15/2008)
05/01/2008	12	REPLY BRIEF re 10 MOTION to Dismiss filed by LFP Publishing Group, LLC. (Armstrong, Barry) (Entered: 05/01/2008)
05/06/2008		Submission of 10 MOTION to Dismiss, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 05/06/2008)
10/06/2008	13	ORDER granting 10 Motion to Dismiss. Signed by Judge Thomas W. Thrash, Jr on 10/3/08. (dr) (Entered: 10/07/2008)
10/06/2008		Civil Case Terminated. (dr) (Entered: 10/07/2008)

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10/07/2008	14	CLERK'S JUDGMENT dismissing case. (dr)--Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 10/07/2008)
10/27/2008	15	NOTICE OF APPEAL as to 14 Clerk's Judgment and 13 Order on Motion to Dismiss by Maureen Toffoloni. Filing fee $455; Receipt Number 113E0000000001877518. Transcript Order Form due on 11/10/2008 (Decker, Richard) Modified on 10/28/2008 to modify document relationship (kac). (Entered: 10/27/2008)
10/28/2008	16	Transmission of Certified Copy of Notice of Appeal, Judgment, Order and Docket Sheet to US Court of Appeals re: 15 Notice of Appeal. (kac) (Entered: 10/28/2008)
10/29/2008	17	BILL OF COSTS by LFP Publishing Group, LLC. (Attachments: # 1 Affidavit in Support of Defendant's Bill of Costs)(Bauer, S.) (Entered: 10/29/2008)
10/30/2008	18	Costs Taxed in amount of $760.15 against Plaintiff (dr) (Entered: 10/30/2008)
10/31/2008 END VOL. 1	19	USCA Acknowledgment of 15 Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 11/03/2008)
11/26/2008		CERTIFICATE OF READINESS of Record on Appeal re: 15 Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 11/26/2008)